

United States Patent and Trademark Office*Att/NZ**JK
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Application of: Wuchinich)
United States Serial Number: 09/833,109) Art Unit 3763
Filing date: April 11, 2001) Examiner: Kevin C. Sirmons
Entitled: Longitudinal-Torsional Ultrasonic Tissue Dissection

Assistant Commissioner of Patents,
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Amendment in response to Final Office Action of October 17, 2003

Remarks

These remarks are made in response to the above-cited Final Office Action, mailed October 17, 2003, that requested distinction of the claims in the present application from the art disclosed and claims set forth by Boukhny in U.S. 6,077,285.

Pending claims 27-30 of the present application have been rejected by the examiner with the argument: Boukhny discloses a longitudinal-torsional resonator comprising: a connection (proximal portion of fig. 4); a tip (distal portion of fig. 4); at least one portion between said contact point and said tip having a spiral inhomogenous cross section (13), and at least one hole extending from said tip to said connection point (figs 1 and 5).

In response, the applicant contends that the structure shown is Fig. 4 of U.S. 6,077,285 is not a resonator and is not identified as such by its inventor, nor, because of its description and use, following accepted understanding of the operation of such devices, can it perform the functions of the longitudinal-torsional resonator that is the subject of the applicant's patent application. The